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AMENDMENT TRANSMITTAL LETTER

After Final Rejection

Application No.
10/672,327

Filing Date
September 26, 2003

Examiner
B. E. Snow

Group Art Unit
3738

Applicant(s): Lance Middleton

Docket No.
SPINE 3.0-2144 DIV II

Invention: ARTIFICIAL INTERVERTEBRAL DISC

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
|--|----------------------------------|--------------------------------|-----------------------------|------|------|
| Total Claims | 20 | - 21 = | | x | |
| Independent Claims | 4 | - 4 = | | x | |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |

Large Entity

Small Entity

No additional fee is required for this amendment.

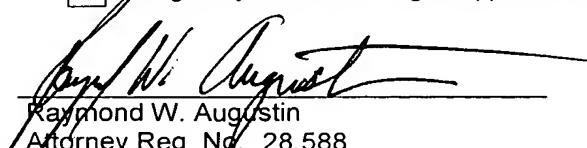
Please charge Deposit Account No. _____ in the amount of _____.
A duplicate copy of this sheet is enclosed.

A check in the amount of \$ _____ to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

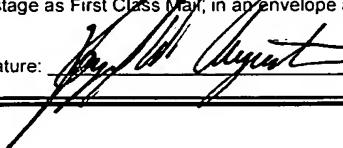

Raymond W. Augustin
Attorney Reg. No. 28,588

Dated: May 16, 2006

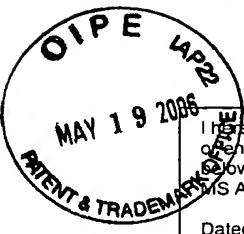
LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP
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I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 16, 2006

Signature: 

(Raymond W. Augustin)



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Dated: May 16, 2006 Signature:

(Raymond W. Augustin)

EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-2144 DIV II

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: :
Lance Middleton :
Application No.: 10/672,327 : Group Art Unit: 3738
Filed: September 26, 2003 : Examiner: B. E. Snow
For: ARTIFICIAL INTERVERTEBRAL DISC :
MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action dated March 9, 2006, finally rejecting claims 1-16 and 18-21, please amend the above-identified U.S. patent application as follows: